



Express Mail No. EV 832910591 US

IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE

Serial Number: 10/081,955
Filed: February 20, 2002
Applicants: George E. Seidel, Lisa Herickhoff, John Schenk
Title: Multiple Sexed Embryo Production System for Mammals Using
Low Numbers of Spermatozoa
TC/A.U: 1634
Examiner: Carla J. Meyers
Assignee: XY, Inc.
Attorney Docket: XY-Super-Cont2
Customer No. 33549

REQUEST FOR CONTINUED EXAMINATION
PURSUANT TO 37 C.F.R. § 1.114

The Applicant hereby submits the following submission in this case as a Request for Continued Examination pursuant to 37 C.F.R. § 1.114. This submission consists of an amendment and request for reconsideration meeting the requirements of 37 C.F.R. § 1.111 and is filed in response to the Office Action dated November 24, 2006. A shortened statutory period of three months has been set, making a response to this action due on or by February 24, 2007. The Applicant is requesting that this time period be extended for three months to and including May 24, 2007 and has included a Petition for Extension of Time along with the prescribed fee. This Request for Continued Examination is accompanied by the fee set forth in 37 C.F.R. § 1.17(e) and is appropriate because:

- i) this request is made prior to payment of the issue fee [37 C.F.R. § 1.114 (a)(1)];
- ii) the application has not been abandoned [37 C.F.R. § 1.114 (a)(2)];
- iii) no notice of appeal has been filed [37 C.F.R. § 1.114 (a)(3)];

- iv) prosecution on the application is closed by either a final action or issuance of a notice of allowance [37 C.F.R. § 1.114 (b)];
- v) this application is not a provisional application [37 C.F.R. § 1.114 (e)(1)];
- vi) this is not a utility patent application filed before June 8, 1995 [37 C.F.R. § 1.114 (e)(2)];
- vii) this application is not an international application filed under 35 U.S.C. § 363 before June 8, 1995 [37 C.F.R. § 1.114 (e)(3)];
- viii) this application is not a design patent application [37 C.F.R. § 1.114 (e)(4)]; and
- ix) this is not a patent under reexamination [37 C.F.R. § 1.114 (e)(5)].

To respond to all issues and concerns raised in the Office Action, this response is submitted. Each amendment is believed to have been made in accordance with Rule 121. However, should any unintended informality exist, it is requested that the undersigned be contacted by telephone so that the informality may be resolved as expediently as possible. The Applicant further notes it is believed that the current amendments do not incur any claim fees. However, should any claim fees be due, it is again requested that the undersigned be contacted by telephone so that the informality may be resolved as expediently as possible.

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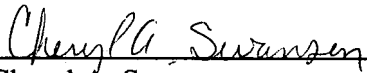
CERTIFICATE OF EXPRESS MAILING

I, Cheryl A. Swanson, hereby certify to the truth of the following items:

1. I am an employee of Santangelo Law Offices, P.C., 125 South Howes, Third Floor, Fort Collins, Colorado 80521.

2. I have this day deposited the attached Amendment and Request for Reconsideration Under 37 C.F.R. § 1.114 with the United States Postal Service as Express Mail, postage prepaid, for mailing to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated this 24 day of May, 2007.


Cheryl A. Swanson